

REMARKS

Applicants thank the Examiner for his review of the reissue application.

In the Office Action dated December 21, 2004, the Examiner objected to the specification because the claimed feature “tip portion” is not clearly identified and described in the specification. In addition, the Examiner rejected claim 8 under 35 U.S.C. 102(a) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over the prior art rongeur shown in Figs. 1A-1D of the reissue application.

Specification

Applicants have resubmitted the paragraph of column 4, lines 10-32, with the added description of the claimed features “top portion” and “longitudinal axis.” Support for such addition can be found, for example, in Figs. 2-3. The addition does not add any new matter.

Drawings

Applicants have submitted a replacement sheet 2/9, which includes Fig. 2, to replace the original sheet 2/9 in the reissue application. Reference numeral 202A and longitudinal axis A-A have been added to Fig. 2. These changes conform to the changes in the description as described above.

Status of Claims and Support for Claim Changes

Claims 1-8 are pending in the application.

With respect to claim 8, Applicants have changed “said tip portion of said bottom shaft piece” in lines 9-10 to “said tip portion and said bottom shaft piece.” This change does not introduce any new matter, and support for such change can be found, for example, in Fig. 3.

Claim 8

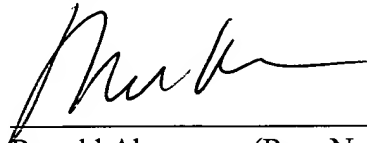
Applicants respectfully submit that claim 8 as amended is patentable over the prior art rongeur shown in Figs. 1A-1D of the reissue application. As discussed in the paragraph of column 2, lines 11-30, in the prior art rongeur, after the top shaft cutting pierce is disengaged from the bottom shaft pierce, the top shaft cutting piece does not remain attached to the rongeur to retain all parts of the rongeur in one attached unit. This is contrary to the language of claim 8 as amended. Therefore, Applicants respectfully request that the rejection of claim 8 be withdrawn in view of the present amendment.

CONCLUSION

Applicants believe that the amendment and remarks made herein place this reissue application in a condition for allowance, and respectfully request that the reissue application be allowed.

Dated: February 24, 2005

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ronald Abramson', written over a horizontal line.

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Amendments to the Drawings:

The attached replacement sheet of drawings, which includes Fig. 2, replaces the original sheet 2/9 filed in the reissue application. Reference numeral 202A and longitudinal axis A-A are added to Fig. 2. Replacement sheet 2/9 incorporates these additions.

Attachment: Replacement Sheet 2/9
Annotated Sheet Showing Additions to Fig. 2